

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JIMMY LEE ROBERTS,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:21cv380-MHT
	)	(WO)
WALTON ENTERPRISES,	)	
	)	
Defendant.	)	

OPINION

Plaintiff filed this lawsuit asserting a nonsensical claim. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed *sua sponte*, without first granting plaintiff an opportunity to file an amended complaint because amendment would be futile. Also before the court is plaintiff's "Motion to Vacate a Dismissal" (Doc. 24). Because plaintiff seems to have misunderstood the magistrate judge's recommendation for dismissal as an order of dismissal, the court construes plaintiff's motion as an objection to the recommendation for dismissal. After an

independent and de novo review of the record, the court concludes that plaintiff's objection should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 5th day of August, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE